REMARKS

Reconsideration of the present application is requested.

Claims 4, 6 and 9 have been amended in a manner believed to overcome the rejection thereof based upon 35 U.S.C. §112. As regards the issue of the scopes of claims 6 and 9, note that claim 6 now depends from claim 5.

Claims 1 and 9 have been amended to recite a tread "on" a tire, and that the tire has means indicating the rolling direction for which the tire is designed (see paragraph no. 014 of the description). Neither Havens nor German '697 discloses a tire designed for a rolling direction, plus means for indicating that rolling direction. Accordingly, as argued previously, there is no way of determining whether the radially inner point of each incision is located in front of the radially outer point of the incision as recited in claims 1 and 9 where "in front of" is considered with reference to the indicated tire direction.

It is conceded to be obvious to provide a directional tire with an indication of a designed-for rolling direction, but it is not clear from the cited references exactly what that rolling direction would be.

As regards the rejection based upon Lurois in view of Europe '104, each of claims 1 and 9 recites that the angular relationship of the varying-inclination incisions is zero degrees along an outer tread region extending from the outer tread surface to a depth of one-third E when the tread is new.

The Official action seems to imply that Lurois and Europe '104 have a common goal, i.e., to reduce tire wear. However, the goal in Lurois is to reduce "irregular" wear in order to achieve the improved wear life of the tire (col. 2, lines 11-14 of Lurois). Europe '104 does not deal with the problem of irregular wear and does not attempt to improve wear life; rather Europe '104 seeks to maintain the tire's flexibility after wear has occurred.

Even assuming for the sake of argument that the goals of Lurois and Europe '104 are similar enough for an artisan to attempt to combine teachings of those references, how would the tread of Lurois be modified in view of Europe '104? One possible way might be to maintain the linear direction of the incisions of Lurois while increasing the steepness of the constant angle created by that linear direction. That, of course, would be inconsistent with the varying inclination of the presently claimed incisions.

Another way would be to increase the steepness of the inner portion of the inclination (i.e., the portion located near the bottom of the incision) while keeping the outer portion inclined at 5° to 25°. However, nowhere is it suggested by either Lurois or Europe '104 (or German '697) for the outer portion of an incision to form a zero degree angular relationship along an extent of 1/3 E, and for the inner portion of the incision to form a greater angular relationship, as now recited in claims 1 and 9.

Accordingly, it is submitted that the present amended claims distinguish patentably over the applied prior art, and allowance of the application is respectfully requested.

Respectfully submitted,

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Date: March 22, 2006

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